



Dkt. No. 10014184-1

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Remarks

**Status of the Claims**

By this amendment, claim 2 is canceled without prejudice or disclaimer and claims 1, 3 and 4 are amended. Upon entry of this Amendment, claims 1 and 3-9 will remain pending in the application. The cancellation of claims does not constitute acquiescence in the propriety of any rejection set forth by the Examiner.

Because the foregoing amendments do not introduce new matter, entry thereof by the Examiner is respectfully requested.

**Claim amendments**

Claim 1 has been amended to clarify the relative data transfer rates of the first and second data interfaces. Claim 1 has also been amended to include the limitations of original claim 2, which has been cancelled. Claims 3 and 4 have been amended to depend from claim 1.

**Rejections under 35 U.S.C. § 112, second paragraph**

Claims 1-6 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite. Specifically, the Office Action stated that what defines a high data transfer rate is unclear. Applicant traverses this rejection with respect to claim 6, because claim 6 does not recite a high data transfer rate. With respect to claims 1-5, Applicant has amended claim 1 to clarify that the first data interface has a higher data transfer rate than the second data interface. Applicant submits that the relative data transfer rate as recited in claim 1 is definite, and accordingly requests that the rejection under 35 U.S.C. 112, second paragraph be withdrawn.

**Rejections under 35 U.S.C. § 103**

Claims 1-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,377,218 to Nelson et al. (hereafter "Nelson"). Applicant respectfully traverses this rejection, insofar as it pertains to the claims as amended, for the following reasons.

***Claim 1***

Independent claim 1 is directed to a memory card. The memory card includes both a first data interface with a contacting interface, and a second data interface with a contact-less interface. Claim 1, as amended, includes limitations from original claim 2. Applicant submits that Nelson does not disclose or suggest these features of claim 1.

Nelson discloses a peripheral component 108 coupled to a host device 120 such as a computer (Fig. 1, col. 3, lines 26-33), where the peripheral component 108 includes a wireline connector for connecting to a peripheral device 135 (col. 3, lines 50-59), as well as a wireless interface comprising an RF device 200 (col. 3, lines 60-66). Nelson also discloses in Figs. 4A and 4B a peripheral component 108 with an RF device 200 and a wireline connector 320 (col. 6, lines 15-44). Nelson, however, does not disclose that a single controller is employed for selecting a data line from the wireline connector or the wireless interface.

The Office Action on page 3 appears to read the controller 230 of Nelson as the controller as claimed in original claim 2 (now recited in amended claim 1). The controller 230 of Nelson, however, does not select between the wireline connector and the wireless interface of the Nelson peripheral component. Instead, the controller 230 of Nelson is a component only of the RF device 200 and thus of the wireless interface as can be seen in Fig. 2 of Nelson. Therefore, even if the Nelson peripheral component were modified to include a memory mass storage, the peripheral component would not meet all the limitations of independent claim 1.

***Claim 6***

Independent claim 6 is directed to a method of operating a memory card. Claim 6 includes the limitation of "switching an input to a memory mass storage from a cable data interface to a contactless data interface upon detection of the predetermined signal." Nelson does not disclose a single controller for selecting a data line from the wireline connector or the wireless interface of the Nelson peripheral component, as discussed above with respect to claim 1, much less disclosing switching an input to a memory mass storage from the wireline

connector to the wireless interface upon detection of a signal. Thus, Nelson does not disclose or suggest the invention of claim 6.

For at least these reasons, Applicant submits that independent claims 1 and 6 are patentable over Nelson. The remaining dependent claims are ultimately dependent from either claim 1 or claim 6, and are patentable for at least the same reasons. Therefore, Applicant respectfully requests that the rejection of the claims under 35 U.S.C. 103 be withdrawn.

### CONCLUSION

As the above-presented amendments and remarks address and overcome all of the rejections presented by the examiner, withdrawal of the rejections and allowance of the claims are respectfully requested.

If the examiner has any questions concerning this application, he or she is requested to contact the undersigned.

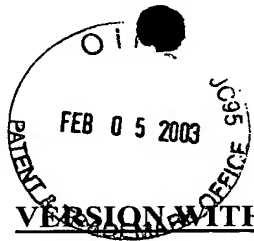
Respectfully submitted,

Date 2/5/03

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Once Amended) A memory card, comprising:  
a memory mass storage;  
a first data interface with a contacting interface [and a high data transfer rate];  
a second data interface with a contact-less interface, the first data interface having a higher data transfer rate than the second data interface; and  
a memory card controller for selecting a data line from said first data interface or a data line from said second data interface to communicate with said memory mass storage based on a criteria.
3. (Once Amended) The memory card as defined in claim [2] 1, wherein said criteria is a predetermined card select detect signal from said first interface.
4. (Once Amended) The memory card as defined in claim [2] 1, wherein said criteria is a detecting an indication of a carrier detect signal from said second data interface.

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